

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/3/2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
:
PRODUCT SPRING LLC, *and* TAYLORED :
CONCEPTS, LLC, :
:
:
Plaintiffs, :
:
:
-against- :
:
BABY BREZZA ENTERPRISES, LLC, :
:
:
Defendant. :
:
----- X

1:24-cv-2274-GHW

ORDER


GREGORY H. WOODS, District Judge:

On March 27, 2024, the Court issued an order show cause as to why this action should not be dismissed for lack of subject matter jurisdiction. Dkt. No. 5. Plaintiffs filed a response on April 3, 2024. Dkt. No. 6. The Court expects that Plaintiff will file an amended complaint, as noted in the response. Thus, the Court will not take further action with respect to the order to show cause at this time.

The Court also understands that Plaintiffs intend to assert a claim under the Declaratory Judgment Act. The Court observes that the proposed cause of action appears to seek a ruling implicating the rights of third parties who are not currently parties to the action. Counsel may wish to consider Rule 19 of the Federal Rules of Civil Procedure when assessing the proposed claim, as those third parties may have a substantial interest relating to the subject of the action.

SO ORDERED.

Dated: April 3, 2024
New York, New York



GREGORY H. WOODS
United States District Judge